

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403-5107**  
**and**  
**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Office of Environmental Quality Control**  
**Water Quality Certification and Wetlands Programs Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION

Refer to: P/N #2006-1313-2IR-C

9 June 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**DORCHESTER COUNTY DISTRICT 2 SCHOOLS**  
**C/O S&ME, INC.**  
**620 WANDO PARK BOULEVARD**  
**MT. PLEASANT, SOUTH CAROLINA 29464**

for a permit to widen a road by placing fill in unnamed wetlands adjacent to

**ROUND SAVANNA – RANTOWLES CREEK HEADWATERS**

at a location on Hwy 165 approximately 2.5 miles southwest of the intersection of SC Highway 61 and SC 165, southwest of Summerville in Dorchester County, South Carolina (Latitude: 32.92289, Longitude: 80.23169).

In order to give all interested parties an opportunity to express their views

**N O T I C E**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, JULY 10, 2006**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of widening Hwy 165 from 2 paved lanes to 4 paved lanes, including two turn only lanes in the vicinity of a new high school (under construction) entrance. The expansion of the roadway will include placement of approximately 3700 cubic yards of material and will involve clearing, fill, grading and paving of 2150 feet of road frontage wetlands with a mean width of approximately 15 feet. To offset wetland impacts, the applicant proposes to purchase 4.3 mitigation credits from an approved mitigation bank. The project purpose is to provide safe ingress and egress for a new high school that is presently under construction.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.74 acres of freshwater wetlands upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. The applicant submitted an endangered/threatened species survey and project plan for the new high school which is adjacent to this proposed roadway expansion to the US Fish and Wildlife Service (USFWS) on January 18, 2005. The USFWS responded in correspondence dated February 25, 2005 concurring with the determination that the new high school action would have no effect on resources under their jurisdiction. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the roadway widening area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or


property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

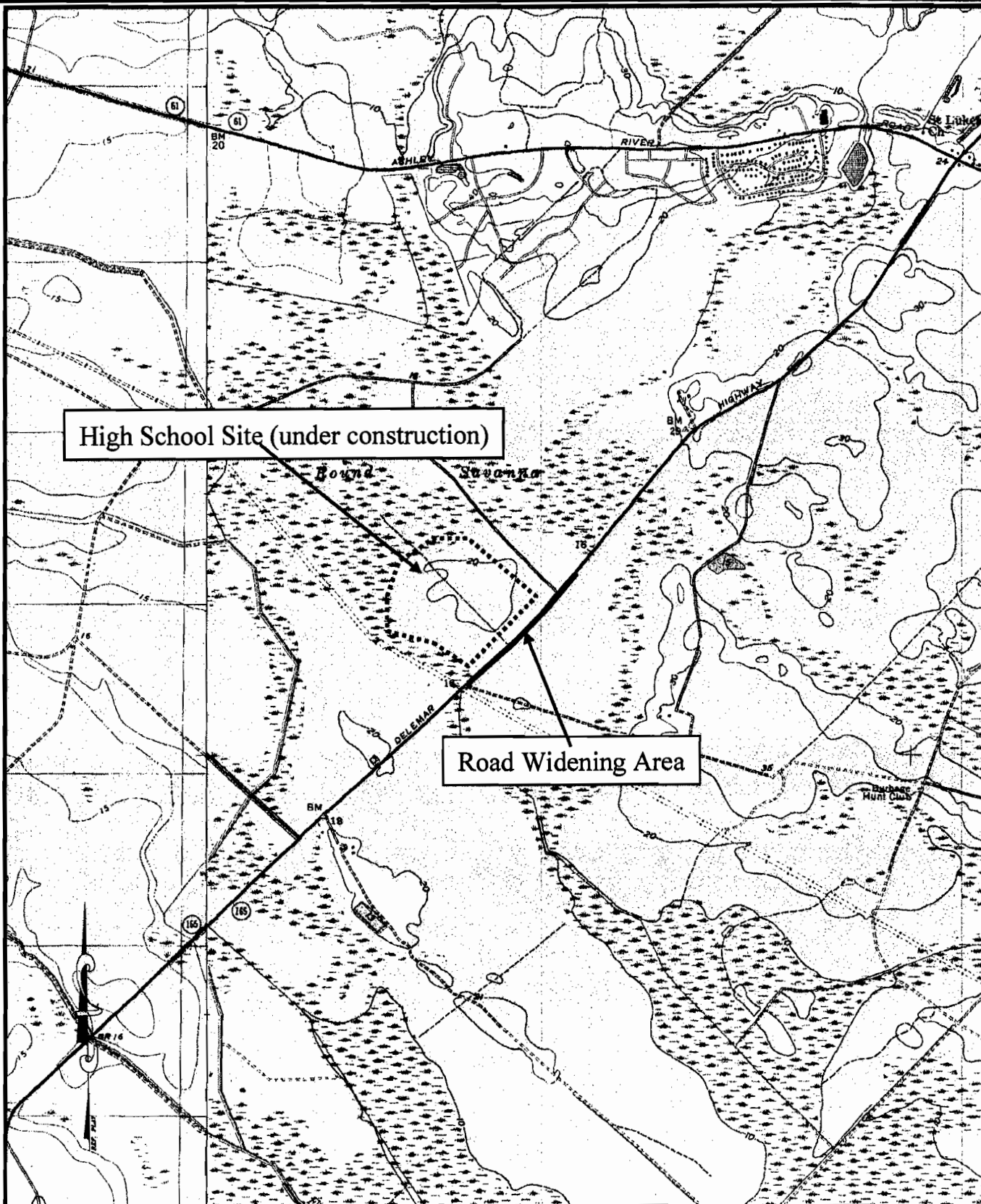
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

  
Robin Collier-Socha  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



DeLORME

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www.delorme.com



SCALE: As shown

SOURCE: USGS 7.5 Min Summerville Quadrangle

SOURCE DATE: 2002

DATE: May, 2006

*P/H 2006-1313-2IR*

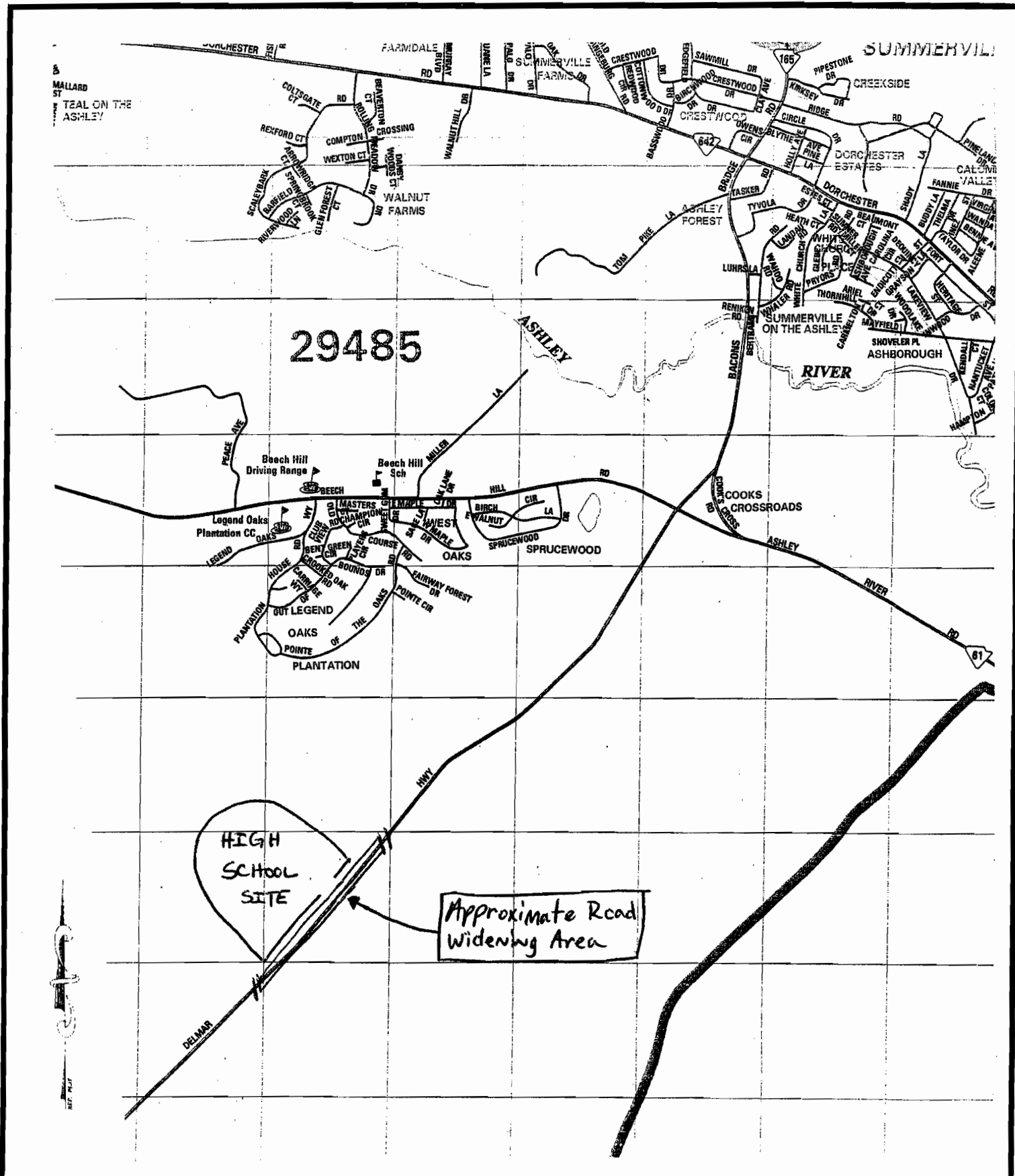
*Sheet 1 of 11*

**SITE TOPOGRAPHIC MAP**  
Hwy 165 Road Widening  
Dorchester County, South Carolina

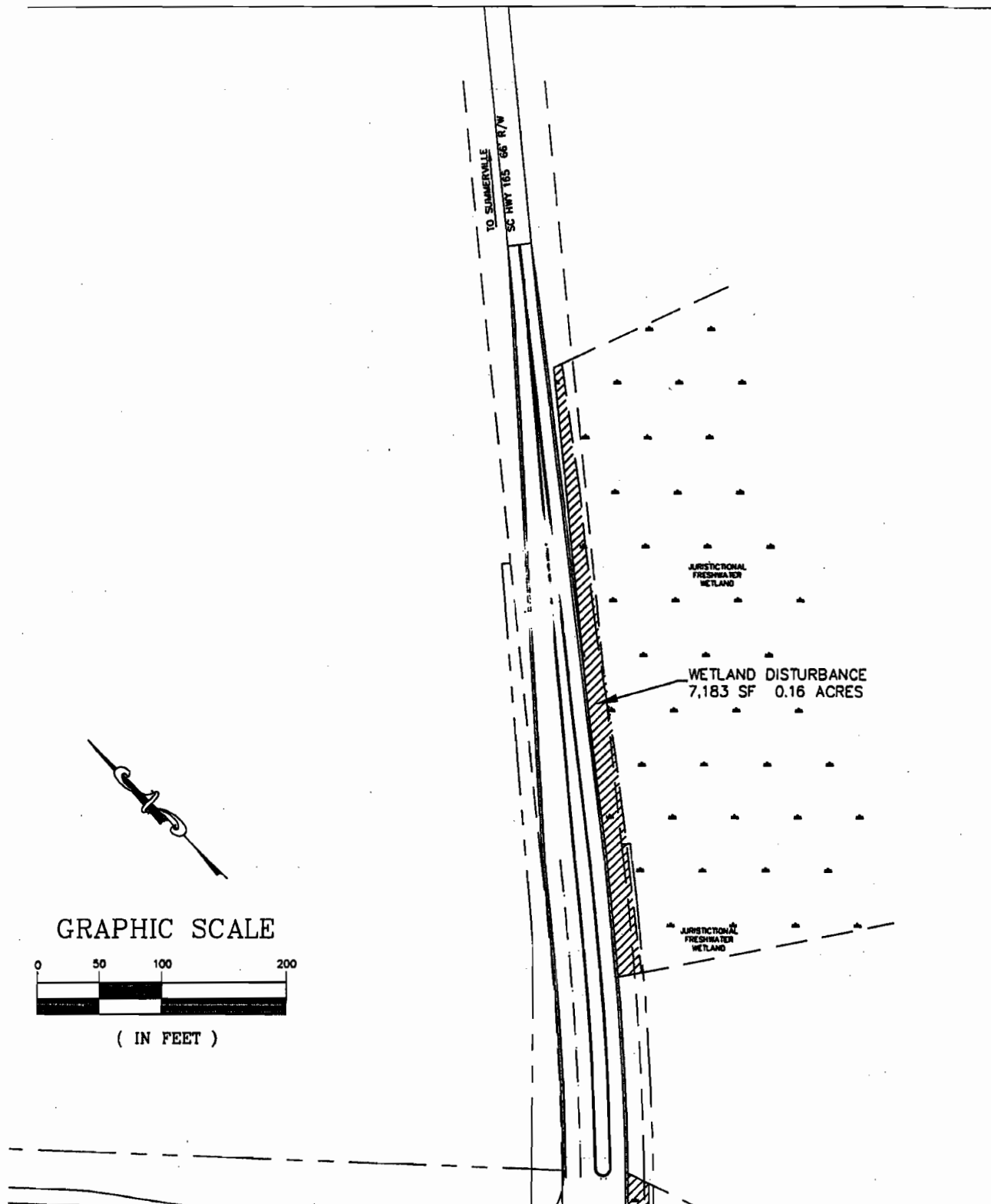
S&ME JOB NO. 1134-06-426

FIGURE NO

1 of 6



SCALE: 1 inch = 1/2 MILE		<b>ROAD LOCATION MAP</b> Hwy 165 Road Widening Dorchester County, South Carolina S&ME JOB NO. 1134-06-426	FIGURE NO
SOURCE: Trakker Maps Street Atlas - Charleston	P/N 2006-1313-21R		2 of 6
SOURCE DATE: 1999	Sheet 2 of 11		
DATE: May, 2006			



SCALE: As shown

SOURCE: Engineering plans

SOURCE DATE: 2002

DATE: May, 2006

*P/N 2006-1313-21R*

*Sheet 3 of 11*

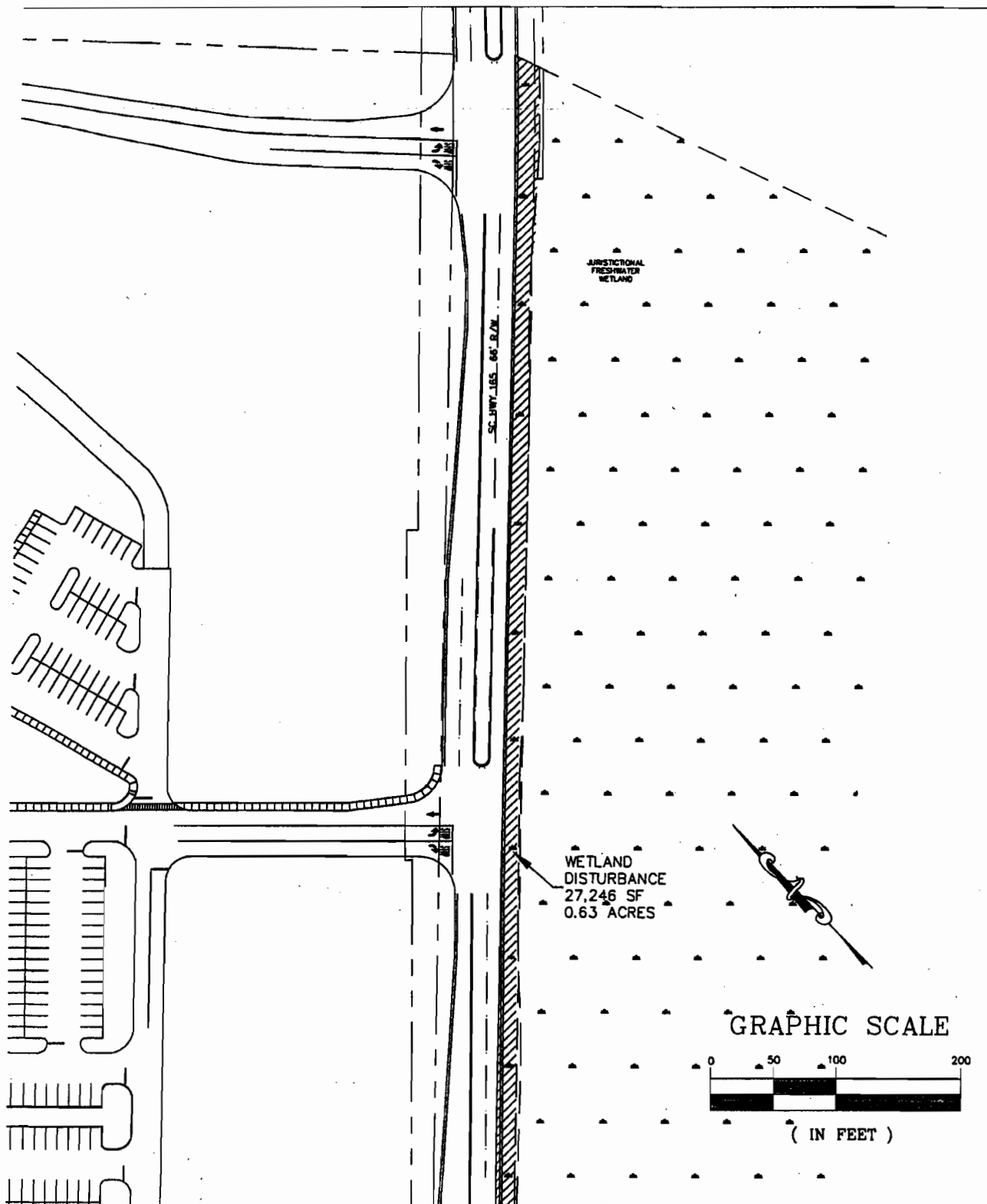
### Plan View # 1

Hwy 165 Road Widening  
Dorchester County, South Carolina

S&ME JOB NO. 1134-06-426

FIGURE NO

3 of 6



SCALE: As shown

SOURCE: Engineering plans

SOURCE DATE: 2002

DATE: May, 2006

P/N 2006-1313-2IR

Sheet 4 of 11

## Plan View #2

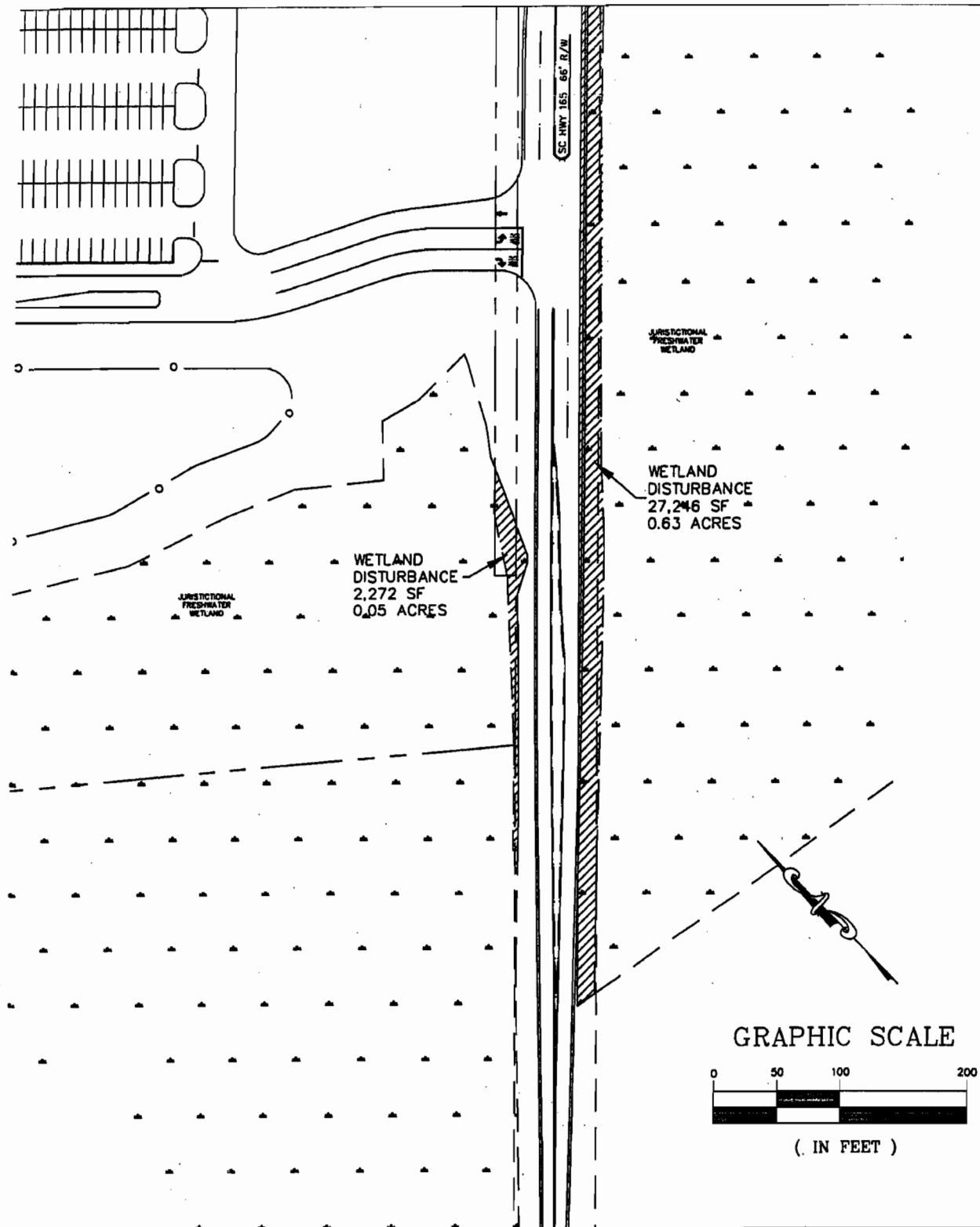
Hwy 165 Road Widening

Dorchester County, South Carolina

S&ME JOB NO. 1134-06-426

FIGURE NO

4 of 6



SCALE: As shown

SOURCE: Engineering plans

SOURCE DATE: 2002

DATE: May, 2006

P/N 2006-1313-2ER

Sheet 5 of 11

### Plan View #3

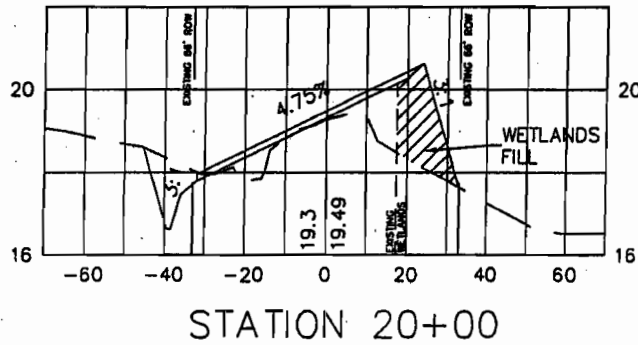
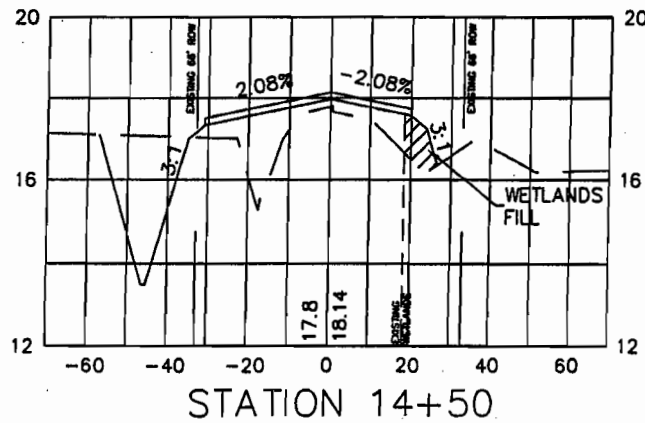
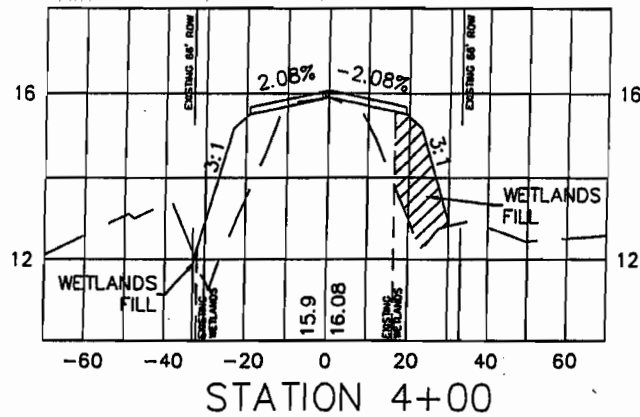
Hwy 165 Road Widening  
Dorchester County, South Carolina

S&ME JOB NO. 1134-06-426

FIGURE NO

5 of 6





Approximate Fill = 3,700 CY

SCALE: As shown

SOURCE: Engineering Plans

SOURCE DATE: 2002

DATE: May, 2006

P/N 2006-1313-2IR

Sheet 6 of 11

Typical Cross Sections

Hwy 165 Road Widening

Dorchester County, South Carolina

S&ME JOB NO. 1134-06-426

FIGURE NO

6 of 6

**Project Title:** Hwy 165 Dorchester District 2 High School  
**Applicant:** Dorchester District 2 Schools  
**Location:** Summerville, Dorchester County, South Carolina  
**Nearest Waterbody:** Round Savanna/ HW of Rantowles Creek  
**Prepared by:** S&ME, Inc. – Eric McClanahan, PWS  
**Date:** May 18, 2006

### **Supplemental Information Sheet**

#### **Mitigation Plan**

The project as designed and constructed will impact a total of 0.74 acres of freshwater wetlands areas, under the jurisdiction of the U.S. Army Corps of Engineers (USACE), with the placement of fill. The wetland impacts (from fill) result in a total of 4.3 credits required (see attached worksheets). Mitigation will be provided by the purchase of 4.3 credits of enhancement and direct restoration credits from an approved local mitigation bank. No compensatory mitigation opportunities are available on-site since the remaining wetlands existing on the high school site were utilized to provide compensatory mitigation for the earlier issued non-jurisdictional wetlands fill permit issued by the OCRM.

#### **Protected Species Information**

S&ME, Inc. has conducted a protected species survey for this site, the report (dated January 18, 2005) and concurrence letter (dated February 25, 2005) for this site are attached.

#### **Cultural Resources**

Project information and property location information is concurrently being forwarded to the State Historic Preservation Office (SHPO), along with the project review form for information concerning any potential historic or archeological information. SHPO response will be forwarded to the USACE, upon receipt.

### Adjacent Property Owners List

TMS Number	Name and Address
176-00-00-001	MeadWestvaco C/o Don Eaddy PO Box 118005 Charleston, SC 29423
169-00-00-002	Golding-Givhans LP – C/o Jim Ezzell 3635 Knollwood Road Nashville, TN 37215

### Avoidance and Minimization

The applicant has reduced on-site wetland impacts and deed restricted all remaining wetlands on the site. The jurisdictional wetlands to be impacted by the roadway widening cannot be avoided due to their position along the road and ditch areas next to the existing road shoulder. The existing two lane highway is insufficient and currently non-compliant to safely handle the traffic flow that will be created by the construction of the high school, also the SCDOT regulations will not allow the impacts to be reduced to a lesser extent than that shown in the project plans.

The wetlands to be impacted are primarily mowed former pine plantation and cleared bottomland hardwood forest. It is our opinion that the roadside wetlands area constitute a very low quality wetland due to the existence of the road, as well as the continuous mowing and maintenance of the roadside ditches. It is also likely that due to future nearby housing developments, a significant portion of this highway will likely require widening to handle future traffic patterns.

## Mitigation for Wetlands

### 14. Tables and Worksheets.

#### 14.1 Adverse Impact Table.

#### ADVERSE IMPACT FACTORS FOR WETLANDS AND OTHER WATERS OF THE U.S. EXCLUDING STREAMS

FACTORS	OPTIONS					
Lost Type	Type C 0.2		Type B 2.0		Type A 3.0	
Priority Category	Tertiary 0.5		Secondary 1.5		Primary 2.0	
Existing Condition	Very Impaired 0.1		Impaired 1.0	Slightly Impaired 2.0		Fully Functional 2.5
Duration	Seasonal 0.1	0 to 1 0.2	1 to 3 0.5	3 to 5 1.0	5 to 10 1.5	Over 10 2.0
Dominant Impact	Shade 0.2	Clear 1.0	Dredge 1.5	Drain 2.0	Impound 2.5	Fill 3.0
Cumulative Impact	$0.05 \times \sum AA_i$					

**Note:** For the **Cumulative Impact** factor,  $\sum AA_i$  stands for the sum of the acres of adverse impacts to aquatic areas for the overall project. When computing this factor, round to the nearest tenth decimal place using even number rounding. Thus 0.01 and 0.050 are rounded down to give a value of zero while 0.051 and 0.09 are rounded up to give 0.1 as the value for the cumulative impact factor. The cumulative impact factor for the overall project must be used in each area column on the Required Credits Worksheet below.

#### Required Mitigation Credits Sample Worksheet

Factor	Road Widening
Lost Type	0.2
Priority Category	0.5
Existing Condition	0.1
Duration	2.0
Dominant Impact	3.0
Cumulative Impact	0

Sum of r Factors	$R_1 = 5.8$
Impacted Area	$AA_1 = 0.74$
$R \times AA =$	$4.292 \rightarrow 4.3$

Total Required Credits =  $\Sigma (R \times AA) =$

4.3

## Mitigation for Wetlands

### 14.6 Mitigation Summary Worksheet.

#### WETLANDS AND OTHER WATERS OF THE U.S. EXCLUDING STREAMS Mitigation Summary Worksheet For Permit Application # \_\_\_\_\_

##### I. Required Mitigation

A.	Total Required Mitigation Credits =	4.3	0.74
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##### II. Non-Banking Mitigation Credit Summary

		Credits	Acres
B.	Creation		
C.	Restoration and/or Enhancement (Non-Buffer Enhancement)		
D.	Restoration and/or Enhancement (Buffer Enhancement)		
E.	Total No Net Loss Non-Bank Mitigation = B + C + D		
F.	Preservation		
G.	Total Proposed Non-Bank Mitigation = E + F		

##### III. Banking Mitigation Credit Summary

		Credits	Acres
H.	Creation		
I.	Restoration and/or Enhancement (Non-Buffer Enhancement)	4.3	N/A*
J.	Restoration and/or Enhancement (Buffer Enhancement)		
K.	Total No Net Loss Bank Mitigation = H + I + J	4.3	
L.	Preservation		
M.	Total Proposed Bank Mitigation = K + L		

##### IV. Grand Totals

		Credits	Acres
N.	Total Preservation Mitigation = F + L		
O.	Total Non-Preservation Mitigation = E + K	4.3	N/A*
P.	Total Creation = B + H		
Q.	Total Restoration and/or Enhancement (Non-Buffer Enhancement) = C + I	4.3	
R.	Total Proposed Mitigation = G + M	4.3	N/A*

\* Acreage of wetland enhancement and restoration is determined by banking instrument as agreed between USACE and bank manager.

## Mitigation for Wetlands

The Total Mitigation Credits (Row R) should equal to or greater than the total Required Mitigation Credits (Row A) for the proposed mitigation to be acceptable. The other requirements given in the SOP must also be satisfied, e.g., in the credits column, Row O must equal at least 50% of Row A and the addition of Row P and Row Q must equal at least 25% of Row A. If the answer to any of the questions below is no, then the proposed mix and/or quantity of mitigation is not in compliance with the policy and the plan should be revised or rejected, unless a variance is approved.

	YES	NO
$PMC \geq RMC$ or in words Are the credits in Row R greater than or equal to Row A ?	<b>X</b>	
$PMC_{\text{Non-Preservation}} \geq \frac{1}{2} RMC$ or in words Are the credits in Row O greater than or equal to 50% of Row A ?	<b>X</b>	
$PMC_{\text{Creation + Restoration/Enhancement (Non-Buffer Enhancement)}} \geq \frac{1}{4} RMC$ or in words Are the credits in Row P plus the credits in Row Q greater than or Equal to 25% of Row A ?	<b>X</b>	

Applicant is requesting a variance with the requirement of non-buffer enhancement, creation and restoration due to the ratio of credits provided in this plan. The applicant is preserving an acreage ratio of 201 to 1, and a credit ratio of 17 to 1.